

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/126,156	GRABOWSKY ET AL.
	Examiner	Art Unit
	Eric M Gibson	3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

1.  This communication is responsive to 7/10/2000.
  2.  The allowed claim(s) is/are 1-24,26-28 and 30-35.
  3.  The drawings filed on \_\_\_\_\_ are acceptable.
  4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
    - a)  All b)  Some\* c)  None of the CERTIFIED copies of the priority documents have been
      1.  received.
      2.  received in Application No. (Series Code / Serial Number). \_\_\_\_\_.
      3.  received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5.  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a).

6.  Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7.  Applicant MUST submit NEW FORMAL DRAWINGS
  - (a)  because the originally filed drawings were declared by applicant to be informal.
  - (b)  including changes required by the Notice of Draftsperson's Patent Drawing Review( PTO-948) attached
    - 1)  hereto or 2)  to Paper No. 3.
  - (c)  including changes required by the proposed drawing correction filed 12/30/1999, which has been approved by the examiner.
  - (d)  including changes required by the attached Examiner's Amendment / Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8.  Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

#### Attachment(s)

- 1 Notice of References Cited (PTO-892)
- 3 Notice of Draftperson's Patent Drawing Review (PTO-948)
- 5 Information Disclosure Statements (PTO-1449), Paper No. \_\_\_\_\_.
- 7 Examiner's Comment Regarding Requirement for Deposit of Biological Material

- 2 Notice of Informal Patent Application (PTO-152)
- 4 Interview Summary (PTO-413), Paper No. \_\_\_\_\_.
- 6 Examiner's Amendment/Comment
- 8 Examiner's Statement of Reasons for Allowance
- 9 Other



WILLIAM A. CUCHLINSKI, JR.  
SUPERVISORY PATENT EXAMINER,  
TECHNOLOGY CENTER 3600

***Reasons for Allowance***

1. Claims 1-24, 26-28, 30-35 are allowed.
2. The following is an examiner's statement of reasons for allowance:
  3. Claims 1, 8, 14, 15, 18, 19 and 33 are found to be allowable over the prior art because the use of the existing cellular infrastructure in the transmission of the data from the aircraft to the flight operations center defines over the prior art. In existing systems, an airport specific wireless communication system is used for the transmission of data (see applicant's specification, page 2, lines 3-15). The use of an existing cellular infrastructure to transmit the data results in a significant cost savings over the systems of the prior art (see applicant's specification page 2, line 24 – page 3, line 1).
  4. Claims 2-7, 9-13, 16-17 and 20-24 serve to further define the invention over the prior art.
  5. Claims 26-28, 30-32 and 34-35 were indicated as allowed in the Office Action dated 2/9/2000.
  6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. An updated search revealed Wright et al. (US 6,047,165). Wright teaches a wireless, frequency-agile spread spectrum ground link-based aircraft

data communication system. In the system taught by Wright, aircraft data is wirelessly downloaded via an airport specific RF communications system, upon landing of the aircraft.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Gibson whose telephone number is (703) 306-4545. The examiner can normally be reached on M-F.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

10. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



WILLIAM A. CUCHLINSKI, JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

EMG  
August 23, 2000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

PM82/0829

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/126,156	07/30/98	033	GIBSON, E	3661 08/29/00
First Named Applicant	GRABOWSKY,	35 USC 154(b) term ext. =		0 Days.

TITLE OF INVENTION AIRCRAFT FLIGHT DATA ACQUISTION AND TRANSMISSION SYSTEM

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
2 TET-1689	701-014.000	R44	UTILITY	NO	\$1210.00	11/29/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.**  
**PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B-Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number.  
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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